

REMARKS

Claims 1-34 are pending. By this Amendment, Claims 2, 18, 24, and 25 are cancelled and Claims 1, 3-5, 16, 17, 19-21, 23, 26, and 28 are amended, thereby leaving Claims 6-15, 22, 27, and 29-34 unchanged.

Drawing Objections

The drawings stand objected to under 37 C.F.R. § 1.121(d). Specifically, the Examiner objected to the replacement drawings filed on December 16, 2004 because the replacement drawings were not labeled as “Replacement Sheets”. Accordingly, Applicants have attached replacement drawings identified as “Replacement Sheets”. Therefore, Applicants respectfully request withdrawal of the objections to the drawings.

Rejections Under 35 U.S.C §§ 102(b) and 103(a)

Claims 1-4, 6, 9-12, 15, and 28-34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,129,132 (“Denoual”) and Claims 1-3, 5, 10, and 23-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,511,301 (“Graham”). Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Graham, Claims 16, 18, 21, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Graham in view of U.S. Patent No. 5,154,468 (“Teigen”), Claims 7, 8, 13, 16-20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Denoual in view of Teigen, and Claims 28-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,315,345 (Schijf”). Reconsideration of the rejections is respectfully requested.

Independent Claim 1

Claim 1 recites a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. The door comprises a first panel having an end, the end having an arm and a protuberance connected to the arm, together the end, the arm, and the protuberance defining an arcuately shaped recess, and a second panel having a hook, the hook being engageable in the arcuately shaped recess to pivotably connect the first panel and the second panel, the hook having an arcuate shape corresponding to the arcuately shaped recess.

Claim 1 specifies that the first panel has a first face and the second panel has a second face, and that the second panel is pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face. Claim 1 also specifies that each of the first panel and the second panel is supportable on the tracks for movement along the tracks and relative to the vehicle, and that the second panel is moveable relative to the first panel from the first orientation towards the second orientation when the first panel is supported on the tracks.

Denoual does not teach or suggest, among other things, that a second panel is pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face and that the second panel is moveable relative to the first panel from the first orientation towards the second orientation when the first panel is supported on the tracks. Specifically, Denoual does not teach or suggest that such movement can be performed “when the first panel is supported on the tracks” as required by Claim 1. Rather, Denoual states that “when a panel is positioned at 90° relative to the adjacent panel, joining is effective and in that the part acting as a rider is designed with a shape that ensures it is connected to and integrated in one of the profiles of the end parts when one panel is swiveled to the maximum extent relative to another adjacent panel.” Column 2, line 65-Column 3, line 3.

Moreover, Denoual teaches away from such an apparatus. As shown in Figs. 2-3b, C-shaped riders 4 are inserted between the curved fork area 3a3 of a first panel 3 and the connecting area 3b2 of an adjacent panel 3. Such riders 4 must be inserted after the panels 3 are connected and can only be inserted from the sides of the panels 3 when the panels 3 are not supported between tracks or other elements which prevent access to the connection formed between adjacent panels 3, 3.

For these and other reasons, Denoual does not teach or suggest all the claim limitations of independent Claim 1.

Graham does not teach or suggest, among other things, a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. Graham also does not teach or suggest each of the first panel and the second panel being supportable on the tracks

for movement along the tracks and relative to the vehicle. Rather, Graham discloses “door sections of the type useful, for example, in an overhead garage door.” Column 1, lines 26-27.

In addition, Graham does not teach or suggest that a second panel is pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face and that the second panel is moveable relative to the first panel from the first orientation towards the second orientation when the first panel is supported on the tracks. Rather, the garage door of Graham is assembled by “resting a male portion 22P (see Fig. 5) of the rear entry continuous hinge on the top truss extension 221E of a lower section when the lower section is in a vertical position, then pushing forward so that 22P engages in the female portion of the hinge and then turning the upper section to vertical position to complete the interlock.” Column 4, lines 33-39. Graham does not teach or suggest that such movement can be performed “when the first panel is supported on the tracks” as required by Claim 1. Rather, Graham states that “[t]he light weight, for example as compared to a wood frame door... contributes immensely to ease of handling and installation, and requires much less hardware than the prior art doors.” Column 4, lines 14-17.

For these and other reasons, Graham does not teach or suggest all the claim limitations of independent Claim 1. Accordingly, independent Claim 1 is allowable. Claims 3-9 depend from independent Claim 1 and are allowable for the same and other reasons.

Dependent Claim 7

Claim 7 depends from independent Claim 1 and specifies that the second panel and the hook are integrally formed from a thermally nonconductive material.

As mentioned above, Denoual and Graham do not teach or suggest the subject matter of Claim 1. Teigen does not cure the deficiencies of Denoual and/or Graham. Specifically, Teigen does not teach or suggest, among other things, that a second panel is pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face and that the second panel is moveable relative to the first panel from the first orientation towards the second orientation when the first panel is supported on the tracks. Rather, as shown in Figs. 4A and 4B of Teigen, the engagement between the upwardly-extending end of the hook

edge 38 of an upper panel 14 and the recess defined by the hook edge 36 of a lower panel 14 would prevent the upper panel 14 from being pivoted relative to the lower panel 14 toward a position, in which the outer surfaces of the upper and lower panels 14, 14 are substantially perpendicular. Moreover, even if it were possible to pivot the upper and lower panel sections 14, 14 of Teigen into such an orientation, a portion of the bottom hook 38 of the upper panel 14 would remain in locking engagement in the recess defined by the hook edge 36 of the lower panel 14.

For these and other reasons, Denoual, Graham, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 7.

To establish a *prima facie* case of obviousness, the prior art references, when combined, must teach or suggest all of the claim limitations. *Assuming arguendo* that the teaching of Graham, Denoual, and Teigen could or should be combined, Applicants respectfully point out that, even with the modification suggested by the Examiner, the claimed structure is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claim 7 based upon the prior art as required by 35 U.S.C. § 103. For these and other reasons, Graham, Denoual, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 7. Accordingly, Claim 7 is allowable.

Dependent Claim 8

Claim 8 depends from independent Claim 1 and specifies that the arm and the first panel are integrally formed from a thermally nonconductive material.

As mentioned above, Denoual and Graham do not teach or suggest the subject matter of Claim 1. Teigen does not cure the deficiencies of Denoual and/or Graham. Specifically, Teigen does not teach or suggest, among other things, that a second panel is pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face and that the second panel is moveable relative to the first panel from the first orientation towards the second orientation when the first panel is supported on the tracks. Rather, as shown in Figs. 4A and 4B of Teigen, the engagement between the upwardly-extending end of the hook edge 38 of an upper panel 14 and the recess defined by the hook edge 36 of a lower panel 14

would prevent the upper panel 14 from being pivoted relative to the lower panel 14 toward a position, in which the outer surfaces of the upper and lower panels 14, 14 are substantially perpendicular. Moreover, even if it were possible to pivot the upper and lower panel sections 14, 14 of Teigen into such an orientation, a portion of the bottom hook 38 of the upper panel 14 would remain in locking engagement in the recess defined by the hook edge 36 of the lower panel 14.

For these and other reasons, Denoual, Graham, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 8.

To establish a *prima facie* case of obviousness, the prior art references, when combined, must teach or suggest all of the claim limitations. *Assuming arguendo* that the teaching of Graham, Denoual, and Teigen could or should be combined, Applicants respectfully point out that, even with the modification suggested by the Examiner, the claimed structure is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claim 8 based upon the prior art as required by 35 U.S.C. § 103. For these and other reasons, Graham, Denoual, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 8. Accordingly, Claim 8 is allowable.

Independent Claim 10

Claim 10 recites a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. The door comprises a first panel having a first face and a lower end, and a second panel having a second face and an upper end, one of the lower end and the upper end defining a recess, an other of the lower end and the upper end having a protrusion, the protrusion being engageable in the recess to pivotably connect the first panel and the second panel, the second panel being pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face, the second panel being fixedly connected to the first panel when the second panel is in the second orientation and the second panel being removeably connected to the first panel when the second panel is in the

first orientation. Claim 10 specifies that the second panel is moveable between the first orientation and the second orientation when the first panel is supported in the tracks.

Denoual does not teach or suggest, among other things, a second panel being fixedly connected to the first panel when the second panel is in the second orientation and the second panel being removable connected to the first panel when the second panel is in the first orientation. Rather, Denoual teaches away from such an apparatus. Specifically, Denoual discloses “a panel [which] is positioned at 90° relative to the adjacent panel, [and that the panel]... is designed with a shape that ensures it is connected to and integrated in one of the profiles of the end parts when one panel is swiveled to the maximum extent relative to another adjacent panel.” Column 2, line 65 through column 3, line 3. In addition, “each panel (3) [of Denoual] comprises, at a first end, upper end area (3a) and, at a second end, lower end area (3b) which are capable of interlocking in the forms on the adjacent panel (3b-3a) whilst assuring, over a wide angular section, continuous linking and guiding.” Column 3, lines 48-52.

In addition, Denoual does not teach or suggest that the second panel is moveable between the first orientation and the second orientation when the first panel is supported in the tracks. Rather, as explained above, Denoual teaches away from such an apparatus. Specifically, as shown in Figs. 2-3b, C-shaped riders 4 are inserted between the curved fork area 3a3 of a first panel 3 and the connecting area 3b2 of an adjacent panel 3. Such riders 4 must be inserted after the panels 3 are connected and can only be inserted from the sides of the panels 3 when the panels 3 are not supported between tracks or other elements which prevent access to the connection formed between adjacent panels 3, 3.

For these and other reasons, Denoual does not teach or suggest all the claim limitations of independent Claim 10.

Graham does not teach or suggest, among other things, a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. Rather, Graham discloses “door sections of the type useful, for example, in an overhead garage door.” Column 1, lines 26-27.

In addition, Graham does not teach or suggest the second panel being pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially

parallel to the first face, and that the second panel is moveable between the first orientation and the second orientation when the first panel is supported in the tracks. Rather, as explained above, the garage door of Graham is assembled by “resting a male portion 22P (see Fig. 5) of the rear entry continuous hinge on the top truss extension 221E of a lower section when the lower section is in a vertical position, then pushing forward so that 22P engages in the female portion of the hinge and then turning the upper section to vertical position to complete the interlock.” Column 4, lines 33-39. Graham does not teach or suggest that such movement can be performed “when the first panel is supported on the tracks” as required by Claim 10. Rather, Graham states that “[t]he light weight, for example as compared to a wood frame door... contributes immensely to ease of handling and installation, and requires much less hardware than the prior art doors.” Column 4, lines 14-17.

For these and other reasons, Graham does not teach or suggest all the claim limitations of independent Claim 10. Accordingly, independent Claim 10 is allowable. Claims 11-15 depend from independent Claim 10 and are allowable for the same and other reasons.

Dependent Claim 13

Claim 13 depends from independent Claim 10 and specifies that one of the first panel and the second panel and the protrusion are integrally formed from a thermally nonconductive material.

As mentioned above, Denoual and Graham do not teach or suggest the subject matter of Claim 10. Teigen does not cure the deficiencies of Denoual and/or Graham. Specifically, Teigen does not teach or suggest, among other things, that a second panel is fixedly connected to the first panel when the second panel is in the second orientation and the second panel is removeably connected to the first panel when the second panel is in the first orientation and that the second panel is moveable between the first orientation and the second orientation when the first panel is supported in the tracks. Rather, as shown in Figs. 4A and 4B of Teigen, the engagement between the upwardly-extending end of the hook edge 38 of an upper panel 14 and the recess defined by the hook edge 36 of a lower panel 14 would prevent the upper panel 14 from being pivoted relative to the lower panel 14 toward a position, in which the outer surfaces of the upper and lower panels 14, 14 are substantially perpendicular. Moreover, even if it were possible to pivot the upper and lower panel sections 14, 14 of Teigen into such an orientation, a

portion of the bottom hook 38 of the upper panel 14 would remain in locking engagement in the recess defined by the hook edge 36 of the lower panel 14.

For these and other reasons, Denoual, Graham, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 13.

To establish a *prima facie* case of obviousness, the prior art references, when combined, must teach or suggest all of the claim limitations. *Assuming arguendo* that the teaching of Graham, Denoual, and Teigen could or should be combined, Applicants respectfully point out that, even with the modification suggested by the Examiner, the claimed structure is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claim 13 based upon the prior art as required by 35 U.S.C. § 103. For these and other reasons, Graham, Denoual, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 13. Accordingly, Claim 13 is allowable.

Dependent Claim 14

Claim 14 depends from independent Claim 10 and specifies that the first panel provides a second protrusion and the second panel defines a second recess, the second protrusion being engageable in the second recess when the second panel is in the second orientation to reduce air flow between the first panel and the second panel.

As mentioned above, Graham does not teach or suggest, among other things, a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. Rather, Graham discloses “door sections of the type useful, for example, in an overhead garage door.” Column 1, lines 26-27.

In addition, Graham does not teach or suggest the second panel being pivotable relative to the first panel between a first orientation, in which the second face is substantially perpendicular to the first face, and a second orientation, in which the second face is substantially parallel to the first face, and that the second panel is moveable between the first orientation and the second orientation when the first panel is supported in the tracks. Rather, as explained above, the garage door of Graham is assembled by “resting a male portion 22P (see Fig. 5) of the rear entry continuous hinge on the top truss extension 221E of a lower section when the lower

section is in a vertical position, then pushing forward so that 22P engages in the female portion of the hinge and then turning the upper section to vertical position to complete the interlock.” Column 4, lines 33-39. Graham does not teach or suggest that such movement can be performed “when the first panel is supported on the tracks” as required by Claim 14. Rather, Graham states that “[t]he light weight, for example as compared to a wood frame door... contributes immensely to ease of handling and installation, and requires much less hardware than the prior art doors.” Column 4, lines 14-17.

For these and other reasons, Graham does not teach or suggest all the claim limitations of Claim 14.

To establish a *prima facie* case of obviousness, the prior art references, must teach or suggest all of the claim limitations. Applicants respectfully point out that the claimed apparatus is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claim 14 based upon the prior art as required by 35 U.S.C. § 103. Accordingly, Claim 14 is allowable.

Independent Claim 16

Claim 16 recites a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. The door comprises a first panel having a first face and an end, the end having an arm, together the end and the arm defining an arcuately shaped recess, and a second panel having a second face and a hook, the hook being engageable in the arcuately shaped recess to pivotably connect the first panel and the second panel when the first panel is supported in the tracks and the second panel is in a first orientation, in which the second face is substantially parallel to the first face, the hook being disengageable from the arcuately shaped recess to disconnect the first panel and the second panel when the second panel is in a second orientation, in which the second face is substantially perpendicular to the first face, the second panel and the hook being integrally formed from a thermally nonconductive material.

Graham does not teach or suggest, among other things, a door for use with a vehicle, the vehicle defining a load space, having an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. Rather, as

explained above, Graham discloses “door sections of the type useful, for example, in an overhead garage door.” Column 1, lines 26-27.

In addition, Graham does not teach or suggest a hook being engageable in the arcuately shaped recess to pivotably connect the first panel and the second panel when the first panel is supported in the tracks and the second panel is in a first orientation, in which the second face is substantially parallel to the first face, the hook being disengageable from the arcuately shaped recess to disconnect the first panel and the second panel when the second panel is in a second orientation, in which the second face is substantially perpendicular to the first face. Rather, as explained above, the garage door of Graham is assembled by “resting a male portion 22P (see Fig. 5) of the rear entry continuous hinge on the top truss extension 221E of a lower section when the lower section is in a vertical position, then pushing forward so that 22P engages in the female portion of the hinge and then turning the upper section to vertical position to complete the interlock.” Column 4, lines 33-39. Graham does not teach or suggest that such movement can be performed “when the first panel is supported on the tracks” as required by Claim 16. Rather, Graham states that “[t]he light weight, for example as compared to a wood frame door... contributes immensely to ease of handling and installation, and requires much less hardware than the prior art doors.” Column 4, lines 14-17.

Moreover, Graham does not teach or suggest that the second panel and the hook are integrally formed from a thermally nonconductive material. Rather, the garage door 10 of Graham “may be of aluminum, or a plastic material such as vinyl, and for light weight and good thermal resistance the core may be of almost weightless ‘beadboard’”. Column 2, lines 23-27.

For these and other reasons, Graham does not teach or suggest all the claim limitations of independent Claim 16.

Denoual does not teach or suggest, among other things, a hook being engageable in the arcuately shaped recess to pivotably connect the first panel and the second panel when the first panel is supported in the tracks and the second panel is in a first orientation, in which the second face is substantially parallel to the first face, the hook being disengageable from the arcuately shaped recess to disconnect the first panel and the second panel when the second panel is in a second orientation, in which the second face is substantially perpendicular to the first face. Rather, as explained above, Denoual states that “when a panel is positioned at 90° relative to the adjacent panel, joining is effective and in that the part acting as a rider is designed with a shape

that ensures it is connected to and integrated in one of the profiles of the end parts when one panel is swiveled to the maximum extent relative to another adjacent panel.” Column 2, line 65-Column 3, line 3. Denoual does not teach or suggest “the hook being engageable in the arcuately shaped recess when the second panel is in a first orientation, in which the second panel is substantially parallel to the first face and the first panel is supported in the tracks” as required by Claim 16.

Moreover, Denoual teaches away from such an apparatus. As shown in Figs. 2-3b, C-shaped riders 4 are inserted between the curved fork area 3a3 of a first panel 3 and the connecting area 3b2 of an adjacent panel 3. Such riders 4 must be inserted after the panels 3 are connected and can only be inserted from the sides of the panels 3 when the panels 3 are not supported between tracks or other elements which prevent access to the connection formed between adjacent panels 3, 3.

For these and other reasons, Denoual does not teach or suggest all the claim limitations of independent Claim 16.

Teigen does not cure the deficiencies of Graham and Denoual. Specifically, Teigen does not teach or suggest, among other things, a hook being engageable in the arcuately shaped recess to pivotably connect the first panel and the second panel when the first panel is supported in the tracks and the second panel is in a first orientation, in which the second face is substantially parallel to the first face, the hook being disengageable from the arcuately shaped recess to disconnect the first panel and the second panel when the second panel is in a second orientation, in which the second face is substantially perpendicular to the first face. Rather, as shown in Figs. 4A and 4B of Teigen, the engagement between the upwardly-extending end of the hook edge 38 of an upper panel 14 and the recess defined by the hook edge 36 of a lower panel 14 would prevent the upper panel 14 from being pivoted relative to the lower panel 14 toward a position, in which the outer surfaces of the upper and lower panels 14, 14 are substantially perpendicular. Moreover, even if it were possible to pivot the upper and lower panel sections 14, 14 of Teigen into such an orientation, a portion of the bottom hook 38 of the upper panel 14 would remain in locking engagement in the recess defined by the hook edge 36 of the lower panel 14, preventing separation of the upper and lower panels 14, 14.

For these and other reasons, Teigen does not teach or suggest all the claim limitations of independent Claim 16.

To establish a *prima facie* case of obviousness, the prior art references, when combined, must teach or suggest all of the claim limitations. *Assuming arguendo* that the teaching of Graham, Denoual, and Teigen could or should be combined, Applicants respectfully point out that, even with the modification suggested by the Examiner, the claimed structure is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claims 16, 17, and 19-22 based upon the prior art as required by 35 U.S.C. § 103. For these and other reasons, Graham, Denoual, and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claims 16, 17, and 19-22. Accordingly, Claims 16, 17, and 19-22 are allowable.

Independent Claim 23

Claim 23 recites a door panel supportable on tracks for engagement with an other panel. The door panel comprises an elongated body having a first end and a second end and a first face extending between the first end and the second end, the first end having an arm and a protuberance formed at a distal end of the arm, together the first end, the arm, and the protuberance defining an arcuately shaped recess, the protuberance having a first radius, the second end having a hook, the hook having a second radius, the second radius being greater than the first radius, the arm and the protuberance being configured to pivotably engage the other panel, the other panel having a second face, the panel being pivotable relative to the other panel between a first orientation, in which the first face is substantially perpendicular to the second face, and a second orientation, in which the first face is substantially parallel to the second face. Claim 23 specifies that the panel is removably connectable with the other panel when the panel is supported on the tracks and is in the first orientation.

Graham does not teach or suggest, among other things, an arm and the protuberance being configured to pivotably engage the other panel, the other panel having a second face, the panel being pivotable relative to the other panel between a first orientation, in which the first face is substantially perpendicular to the second face, and a second orientation, in which the first face is substantially parallel to the second face and that the panel is removably connectable with the other panel when the panel is supported on the tracks and is in the first orientation. Rather, as explained above, the garage door of Graham is assembled by “resting a male portion 22P (see Fig. 5) of the rear entry continuous hinge on the top truss extension 221E of a lower section

when the lower section is in a vertical position, then pushing forward so that 22P engages in the female portion of the hinge and then turning the upper section to vertical position to complete the interlock.” Column 4, lines 33-39. Graham does not teach or suggest that such movement can be performed “when the panel is supported on the tracks” as required by Claim 23. Rather, Graham states that “[t]he light weight, for example as compared to a wood frame door... contributes immensely to ease of handling and installation, and requires much less hardware than the prior art doors.” Column 4, lines 14-17.

For these and other reasons, Graham does not teach or suggest all the claim limitations of independent Claim 23. Accordingly, independent Claim 23 is allowable. Claims 26 and 27 depend from independent Claim 23 and are allowable for the same and other reasons.

Dependent Claim 27

Claim 27 depends from independent Claim 23 and specifies that the elongated body and one of the arm and the hook are integrally formed from a thermally nonconductive material.

As mentioned above, Graham does not teach or suggest the subject matter of Claim 23. Teigen does not cure the deficiencies of Graham. Specifically, Teigen does not teach or suggest, among other things, an arm and the protuberance being configured to pivotably engage the other panel, the other panel having a second face, the panel being pivotable relative to the other panel between a first orientation, in which the first face is substantially perpendicular to the second face, and a second orientation, in which the first face is substantially parallel to the second face and that the panel is removably connectable with the other panel when the panel is supported on the tracks and is in the first orientation. Rather, as shown in Figs. 4A and 4B of Teigen, the engagement between the upwardly-extending end of the hook edge 38 of an upper panel 14 and the recess defined by the hook edge 36 of a lower panel 14 would prevent the upper panel 14 from being pivoted relative to the lower panel 14 toward a position, in which the outer surfaces of the upper and lower panels 14, 14 are substantially perpendicular. Moreover, even if it were possible to pivot the upper and lower panel sections 14, 14 of Teigen into such an orientation, a portion of the bottom hook 38 of the upper panel 14 would remain in locking engagement in the recess defined by the hook edge 36 of the lower panel 14, preventing separation of the upper and lower panels 14, 14.

For these and other reasons, Graham and Teigen, alone or in combination do not teach or suggest all the claim limitations of Claim 27. Accordingly, Claim 27 is allowable.

Independent Claim 28

Claim 28 recites a method of assembling a door for a vehicle, the vehicle having a load space and defining an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. The method comprises providing a first panel having a first face and a lower end, inserting the first panel into the tracks, providing a second panel having a second face and an upper end, one of the lower end and the upper end defining a recess, an other of the lower end and the upper end having a protrusion, orienting the second panel in a first orientation, in which the second face is substantially perpendicular to the first face, and inserting the protrusion into the recess, and pivoting the second panel with respect to the first panel toward a second orientation, in which the first face is substantially parallel to the second face, to matingly engage the first panel and the second panel after the first panel is inserted into the tracks.

Denoual does not teach or suggest, among other things, tracks positioned adjacent to an access opening and the acts of inserting the first panel into the tracks, orienting the second panel in a first orientation, in which the second face is substantially perpendicular to the first face, and inserting the protrusion into the recess, and pivoting the second panel with respect to the first panel toward a second orientation, in which the first face is substantially parallel to the second face, to matingly engage the first panel and the second panel after the first panel is inserted into the tracks. Rather, as explained above, Denoual states that “when a panel is positioned at 90° relative to the adjacent panel, joining is effective and in that the part acting as a rider is designed with a shape that ensures it is connected to and integrated in one of the profiles of the end parts when one panel is swiveled to the maximum extent relative to another adjacent panel.” Column 2, line 65-Column 3, line 3.

Moreover, Denoual teaches away from such a method. As shown in Figs. 2-3b, C-shaped riders 4 are inserted between the curved fork area 3a3 of a first panel 3 and the connecting area 3b2 of an adjacent panel 3. Such riders 4 must be inserted after the panels 3 are connected and can only be inserted from the sides of the panels 3 when the panels 3 are not supported between

tracks or other elements which prevent access to the connection formed between adjacent panels 3, 3.

For these and other reasons, Denoual does not teach or suggest all the claim limitations of independent Claim 28.

Schijf does not teach or suggest, among other things, a method of assembling a door for a vehicle, the vehicle having a load space, defining an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. Rather, Schijf discloses “hinge joints, which are used for roller shutters, greenhouse windows, letter boxes and the like”. Column 1, lines 10-12.

In addition, Schijf does not teach or suggest the acts of inserting the first panel into the tracks, orienting the second panel in a first orientation, in which the second face is substantially perpendicular to the first face, and inserting the protrusion into the recess, and pivoting the second panel with respect to the first panel toward a second orientation, in which the first face is substantially parallel to the second face, to matingly engage the first panel and the second panel after the first panel is inserted into the tracks. Moreover, Schijf teaches away from such a method. Specifically, Schijf discloses “frame members 4 and 5 [that] are positioned with respect to one another so that they can move in an articulated manner in relation to each other, for example from a square position as shown in Fig. 8, to a closed position as shown in Fig. 9.” Column 3, lines 33-37.

For these and other reasons, Schijf does not teach or suggest all the claim limitations of independent Claim 28.

To establish a *prima facie* case of obviousness, the prior art references, must teach or suggest all of the claim limitations. Applicants respectfully point out that the claimed method is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claims 28-31 based upon the prior art as required by 35 U.S.C. § 103. Accordingly, Claims 28-31 are allowable.

Further, in establishing a *prima facie* case of obviousness, the Examiner must provide a reason why one of ordinary skill in the art would have been led to modify a prior art reference or to combine reference teachings to arrive at the claimed invention. To this end, the requisite motivation must stem from some teaching, suggestion or inference in the prior art as a whole or from the knowledge generally available to one of ordinary skill in the art and not from

Applicants' disclosure. In addition, the mere fact that the prior art structure could be modified does not make such a modification obvious unless the prior art suggests the desirability of doing so.

The Examiner contends that it would have been obvious to modify the device of Schijf, that “[t]he method of inserting one panel into the track and then joining the second panel to the first panel would have been obvious to one of ordinary skill in the art”, and that “[t]he motivation would have been to make connecting the door to the track simple because the large door with all the panels would not have to be joined all at once making the job of placing the door on the tracks simple enough for one person to do.” However, as set forth above, Schijf does not teach or suggest, among other things, the acts of inserting a first panel into the tracks and pivoting the second panel with respect to the first panel toward a second orientation, in which the first face is substantially parallel to the second face to matingly engage the first panel and the second panel after the first panel is inserted into the tracks. Moreover, Schijf is directed to “hinge joints, which are used for roller shutters, greenhouse windows, letter boxes and the like” and there is no teaching or suggestion that the relatively small and lightweight window shutters of Schijf should or could be assembled as suggested by the Examiner. In addition, such an assembly process would likely be more difficult and time consuming than the assembly process of Schijf and would not be obvious or advantageous for the relatively small and lightweight window shutters of Schijf. For these and other reasons, Applicants respectfully submit that the Examiner has not identified any teaching or suggestion that Schijf should or could be modified and that, in fact, Schijf teaches away from such a modification.

In summary, Denoual and Schijf, alone or in combination, do not teach or suggest all of the claim limitations of independent Claim 28. Further, there is no teaching or suggestion that the teachings of Schijf should or could be modified as suggested by the Examiner. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claim 28 based upon the prior art as required by 35 U.S.C. § 103.

For these reasons, Denoual and Schijf, alone or in combination, do not teach or suggest the subject matter defined by independent Claim 28. Accordingly, independent Claim 28 is allowable. Dependent Claims 29-31 depend from independent Claim 28 and are allowable for the same and other reasons. In addition, the additional subject matter defined by the dependent claims provides separate bases for allowance.

Independent Claim 32

Claim 32 recites a method of assembling a door for a vehicle, the vehicle having a load space, defining an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. The method comprises inserting a first panel into the tracks, coupling a second panel to the first panel after the first panel is inserted into the tracks, and inserting the second panel into the tracks for sliding movement along the tracks with the first panel.

Denoual does not teach or suggest, among other things, tracks positioned adjacent to the access opening and the acts of inserting a first panel into the tracks and coupling a second panel to the first panel after the first panel is inserted into the tracks. Rather, as explained above, Denoual states that “when a panel is positioned at 90° relative to the adjacent panel, joining is effective and in that the part acting as a rider is designed with a shape that ensures it is connected to and integrated in one of the profiles of the end parts when one panel is swiveled to the maximum extent relative to another adjacent panel.” Column 2, line 65-Column 3, line 3. Denoual does not teach or suggest the act of “coupling a second panel to the first panel after the first panel is inserted into the tracks” as required by Claim 32.

Moreover, Denoual teaches away from such a method. As shown in Figs. 2-3b, C-shaped riders 4 are inserted between the curved fork area 3a3 of a first panel 3 and the connecting area 3b2 of an adjacent panel 3. Such riders 4 must be inserted after the panels 3 are connected and can only be inserted from the sides of the panels 3 when the panels 3 are not supported between tracks or other elements which prevent access to the connection formed between adjacent panels 3, 3.

For these and other reasons, Denoual does not teach or suggest all the claim limitations of independent Claim 32.

Schijf does not teach or suggest, among other things, a method of assembling a door for a vehicle, the vehicle having a load space, defining an access opening communicating between the load space and atmosphere, and having tracks positioned adjacent to the access opening. Rather, Schijf discloses “hinge joints, which are used for roller shutters, greenhouse windows, letter boxes and the like”. Column 1, lines 10-12.

In addition, Schijf does not teach or suggest the acts of inserting a first panel into the tracks and coupling a second panel to the first panel after the first panel is inserted into the tracks. Rather, as mentioned above, Schijf teaches away from such a method. Specifically, Schijf discloses “frame members 4 and 5 [that] are positioned with respect to one another so that they can move in an articulated manner in relation to each other, for example from a square position as shown in Fig. 8, to a closed position as shown in Fig. 9.” Column 3, lines 33-37.

For these and other reasons, Schijf does not teach or suggest all the claim limitations of independent Claim 32.

To establish a *prima facie* case of obviousness, the prior art references, must teach or suggest all of the claim limitations. Applicants respectfully point out that the claimed method is not provided by the references. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claims 32-34 based upon the prior art as required by 35 U.S.C. § 103. Accordingly, Claims 32-34 are allowable.

Further, in establishing a *prima facie* case of obviousness, the Examiner must provide a reason why one of ordinary skill in the art would have been led to modify a prior art reference or to combine reference teachings to arrive at the claimed invention. To this end, the requisite motivation must stem from some teaching, suggestion or inference in the prior art as a whole or from the knowledge generally available to one of ordinary skill in the art and not from Applicants’ disclosure. In addition, the mere fact that the prior art structure could be modified does not make such a modification obvious unless the prior art suggests the desirability of doing so.

The Examiner contends that it would have been obvious to modify the device of Schijf, that the “method of inserting one panel into the track and then joining the second panel to the first panel would have been obvious to one of ordinary skill in the art”, and that “[t]he motivation would have been to make connecting the door to the track simple because the large door with all the panels would not have to be joined all at once making the job of placing the door on the tracks simple enough for one person to do.” However, as set forth above, Schijf does not teach or suggest, among other things, the acts of inserting a first panel into the tracks and coupling a second panel to the first panel after the first panel is inserted into the tracks. Moreover, Schijf is directed to “hinge joints, which are used for roller shutters, greenhouse windows, letter boxes and the like”. There is no teaching or suggestion that the relatively small and lightweight

window shutters of Schijf should or could be assembled as suggested by the Examiner. In addition, such an assembly process would likely be more difficult and time consuming than the assembly process of Schijf and would not be obvious or advantageous for the relatively small and lightweight window shutters of Schijf. For these and other reasons, Applicants respectfully submit that the Examiner has not identified any teaching or suggestion that Schijf should or could be modified and that, in fact, Schijf teaches away from such a modification.

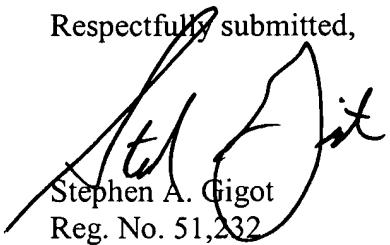
In summary, Denoual and Schijf, alone or in combination, do not teach or suggest all of the claim limitations of independent Claim 32. Further, there is no teaching or suggestion that the teachings of Schijf should or could be modified as suggested by the Examiner. Therefore, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness of Claim 32 based upon the prior art as required by 35 U.S.C. § 103.

For these reasons, Denoual and Schijf, alone or in combination, do not teach or suggest the subject matter defined by independent Claim 32. Accordingly, independent Claim 32 is allowable. Dependent Claims 33 and 34 depend from independent Claim 32 and are allowable for the same and other reasons. In addition, the additional subject matter defined by the dependent claims provides separate bases for allowance.

CONCLUSION

In view of the foregoing, entry of the present Amendment and allowance of the application are respectfully requested.

Respectfully submitted,



Stephen A. Gigot
Reg. No. 51,232

File No. 090402-9416-00
Michael Best & Friedrich LLP
100 E. Wisconsin Ave.
Milwaukee, WI 53202
(414) 271-6560

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings include changes included in an amendment filed on December 16, 2004 and are identified as "replacement sheets". No new matter has been added. Entry of the enclosed drawings is respectfully requested.

Attachment: Replacement Drawing Sheets